

Memo: 8-3-11

Polymet Wetland Issue Status Update-

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EPA has been involved in the Wetlands Workgroup and has provided comments on technical documents used in developing the Supplemental DEIS.

**Progress:**

- **Direct Wetland Impacts Assessment:** The SDEIS will include an accurate estimate of wetlands excavated or filled with the wetland types that were verified by the Wetlands Workgroup.
- **Indirect Wetland Impacts Assessment:** The Wetlands Workgroup developed a document recommending a method for estimating indirect wetland impacts including those due to dewatering. Barr Engineering (Polymet's consultant) then developed a Draft Work Plan to implement the Workgroup's recommendations to develop a direct and indirect wetland impacts assessment. The indirect impacts assessment will provide a semi-quantitative estimate of potential wetland impacts because of difficulty in estimating surface water/ground water interaction at the site.

**Issues Remaining:**

- **Wetland Impact Monitoring/Contingency Plan:** Once the impact assessment is complete, an indirect wetland impacts monitoring and contingency plan must be developed and reviewed. This will be an important aspect of the SDEIS because the indirect impacts estimate will only be semi-quantitative and may be imprecise.
- **Mitigation:** EPA reviewed and determined that the mitigation proposed in the DEIS was insufficient to compensate for the proposed impacts. Additional mitigation has been proposed to the lead agencies, but this has not yet been provided to EPA.
- **Financial Assurances:** The lead agencies have not yet proposed a plan for assuring that the monitoring and mitigation described above will be sufficiently assured.
- **ARNI:** In our NEPA letter commenting on the DEIS, EPA made the draft determination that the project may affect Aquatic Resources of National Importance (ARNIs). The specific aquatic resources noted in the letter are the coniferous and open bogs within the Partridge River Watershed. Bogs are unique communities that require hundreds, if not thousands, of years to form. They are a relatively common wetland type in Northern Minnesota but are nationally and globally important resources. Once the CWA Section 404 Public Notice is issued, EPA will make the determination if the project may result in substantial and unacceptable impacts to ARNIs.